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ECONOMIC, CULTURAL AND SOCIAL RIGHTS

Written statement submitted by North-South XXI, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council Resolution 1996/31.

[11 January 1999]

GE.99-10714 (EXT)

Need to guarantee economic and cultural rights

1. International order, if rigidly compartmentalized, would be no more than an adjunct to the initiatives of States or international organizations when the occasion lends itself. International practice is all too often based on this separate, isolated implementation of the juridical human rights instruments. This "autonomy" of treaties and covenants concerning human rights favours only civil and political rights, which are increasingly accompanied by guarantee mechanisms to the detriment of economic and social rights.

2. The Commission on Human Rights must think about the issue of guarantees for these economic and social rights, which have hitherto been restricted. One guarantee of such rights, whose equality with civil and political rights is proclaimed in the declarations, is the interdependence of legal instruments.

3. The instruments of international personal law have meaning only because they interact with one another and are part of a coherent juridical order. Economic and social rights are joined to political and civil rights (as underscored in the 1993 Vienna Declaration and Programme of Action); neither can be interpreted and explained outside the context of interdependence of their common goals.

4. To that end, it is suggested that a working group be created to formulate recommendations designed to strengthen the promotion, protection and exercise of economic, social and cultural rights through the decompartmentalization of the juridical order, so as to facilitate effective recognition of a subjective right to social rights, a fundamental component of the right to live in "human dignity".

5. This "human dignity" begins with recognition of the right of the child to health and life. The 1998 WHO report shows, inter alia, that one million children, most of them in the South, died from measles because they had not been vaccinated. The disease, benign in the industrial countries, is still fatal in the developing countries despite the low cost of inoculation. Those million deaths are an eloquent illustration of the extreme inequality of the inhabitants of our planet and the ineffectiveness of social rights, especially the right to health, which is essential for everyone.

6. It is paradoxical that the States of the West conduct vast campaigns against the exploitation of children in the production sector because it creates difficult competitive conditions for certain firms in the North (hence the notion of a "social clause" to be included in international agreements), while there is widespread indifference to the carnage witnessed every year in the South for lack of essential sanitation.

7. The Commission on Human Rights must, on the basis of the WHO documents, address the major problem of the right to life and health of the millions of children in the developing countries who die for lack of care even before "they have time to be exploited". The Commission must stress the need to refrain from separating the various components of social rights, the foremost of which is the right to life.